

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

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U.S. DISTRICT COURT
DISTRICT OF MASS.

| | | |
|---|---|------------------|
| Samuel Gitau, |) | |
| Petitioner |) | |
| |) | |
| v. |) | |
| |) | |
| Bruce CHADBOURNE, Field Office Director, |) | Civil Action No. |
| Department of Homeland Security, |) | 05 CV 10803-GAO |
| Immigration & Customs Enforcement; <i>et. al.</i> |) | |
| Respondents |) | |

PETITIONER'S REQUEST FOR LEAVE TO PAPER FILE

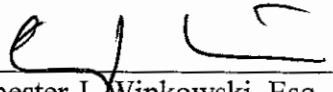
The undersigned counsel hereby requests leave to paper file PETITIONER'S RESPONSE TO RESPONDENT'S SUPPLEMENTAL MEMORANDUM IN SUPPORT OF MOTION TO DISMISS. Said counsel says that he registered for electronic filing capability on January 30, 2006 with the intent of filing said document electronically. On January 31, 2006 said counsel spoke to the court's ECF help line. The help line informed said counsel that a password would not be issued for approximately two weeks. As a result, electronic filing is not technically possible at this time. Said counsel had previously registered for PACER and a password issued within hours of that registration.

Said counsel says that he has acted in good faith and suggests that the error is the result of inadvertence and is excusable.

Signed under the pains and penalties of perjury pursuant to 28 U.S.C. 1746.

Dated: February 2, 2006

Respectfully submitted,




Chester J. Winkowski, Esq.
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BBO# 530685

Certificate of Service

I hereby certify that I have on this date served a copy of the above document upon Frank Crowley, Esq., Special Assistant U.S. Attorney, Department of Homeland Security, P.O. Box 8728, JFK Station, Boston, MA 02114 by first class post prepaid.

Dated: February 2, 2006



Chester J. Winkowski